
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Michael A. Hammer
:
v. : Mag. No. 20-10385
:
MARQUEL O'NEAL :
:
: **CRIMINAL COMPLAINT**

I, Marilyn Gonzalez, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

I further state that I am a Special Deputy with the United States Marshals Service and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.



Marilyn Gonzalez, Special Deputy
United States Marshals Service

Special Deputy Gonzalez attested
to this Complaint by telephone
pursuant to FRCP 4.1(b)(2)(A) on
November 30, 2020 in the
District of New Jersey



HONORABLE MICHAEL A. HAMMER
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

COUNT ONE

(Possession of a Firearm and Ammunition by a Convicted Felon)

On or about September 22, 2020, in Essex County, in the District of New Jersey and elsewhere, the defendant,

MARQUEL O'NEAL,

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce a firearm, namely a 9 millimeter Ruger pistol, bearing serial number 454-17680, and eight (8) rounds of 9 millimeter ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

ATTACHMENT B

I, Marilyn Gonzalez, am a Special Deputy with the United States Marshals Service. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about September 22, 2020, members of the Newark Police Department approached a parked Chevrolet Impala ("the vehicle"). One of the police officers ("Officer-1") observed a small quantity of a controlled dangerous substance in the vehicle's front cup holder and asked the person in the vehicle's driver seat, subsequently identified as Marquel O'Neal ("O'NEAL"), along with the vehicle's other two occupants, to get out of the vehicle.

2. During a subsequent lawful search of the vehicle, one of the other officers ("Officer-2") observed what appeared to be a firearm in the vehicle's front floorboard area.

3. Law enforcement seized the item that appeared to be a firearm and observed that the item was a 9 millimeter Ruger pistol, bearing serial number 454-17680 (the "Firearm"), which was loaded with eight (8) rounds of 9 millimeter ammunition (the "Ammunition").

4. While in police custody, O'NEAL waived his Miranda rights and stated in substance and in part that the Firearm belonged to him.

5. The Firearm and Ammunition were manufactured outside of the State of New Jersey, and thus traveled in interstate commerce prior to O'NEAL's possession of the Firearm and Ammunition in New Jersey on or about September 22, 2020.

6. The Firearm was tested and found to be operable, that is, it is capable of, and designed to, expel a projectile.

7. On or about April 17, 2017, O'NEAL was convicted of the following crimes in the Superior Court of New Jersey, Essex County: Unlawful Possession of a Handgun, a second degree crime, in violation of N.J.S.A. 2C:39-5B; and Distribution of Controlled Dangerous Substances on or near School Property, a third degree crime, in violation of N.J.S.A. 2C:35-7A, for which O'NEAL was sentenced to three years' imprisonment.